

May 8 letter he addressed in his comment, but he now “infers” – based on what happened next in the conversation – that he also made reference to O’Connor’s assertion that the opponent tribes were giving money to the Democrats.⁴⁶¹

At this point in the conversation, with the two men standing close to each other and the conversation appearing to Eckstein to be concluding, Eckstein testified that Babbitt asked him, “do you know how much money Indians give to the Democrats.”⁴⁶² Eckstein further explained that he is not certain whether Babbitt’s actual phrasing was “these Indians,” or “Indians that have gaming contracts,” or if Babbitt said “to the Democrats,” or “to the Democratic Party.”⁴⁶³ In essence, though, Eckstein was confident that:

[I]t was a question which I interpreted as a rhetorical question, giving money to Democrats and Indians. And I said something to the effect I don’t know or I don’t have the slightest idea. And he said half a million dollars.⁴⁶⁴

Eckstein recalled that the meeting ended shortly after that remark, with little more said. Eckstein offered no further reply to Babbitt’s remark about contributions, viewing the comment as a rhetorical “come back” to Eckstein’s invocation of the O’Connor letter, and unable to think of anything to say at the moment.⁴⁶⁵

⁴⁶¹*Id.* at 110-11.

⁴⁶²*Id.* at 111.

⁴⁶³*Id.*

⁴⁶⁴*Id.* at 111-12.

⁴⁶⁵*Id.* at 112, 133. Eckstein has stated consistently that he did not understand Babbitt’s remark about Indian contributions to be an indication of a *quid pro quo*, or a statement that contribution considerations were controlling the decision-making.